

of carbon” on producers in the United States;

(2) rejoined the Paris Climate Agreement, a landmark international fossil-fuel suppression mandate; and

(3) through Executive Order 13992 (86 Fed. Reg. 7049; relating to federal regulation), repealed several executive orders issued by President Donald J. Trump that reduced Federal regulation and increased regulatory transparency, in order to facilitate “robust regulatory action” to address climate change;

Whereas, during President Biden’s second week in office, President Biden issued Executive Order 14008 (86 Fed. Reg. 7619; relating to climate change), which stopped new oil and natural gas leases on public lands and offshore waters, where approximately a quarter of United States oil-and-gas production occurs;

Whereas, in the first week of May 2021, President Biden issued Executive Order 14027 (86 Fed. Reg. 25947; relating to establishment of the Climate Change Support Office), which established the Climate Change Support Office to support efforts by the Biden Administration “to elevate and underscore the commitment the Administration will make towards addressing the global climate crisis”;

Whereas, by mid-May 2021, the average price of gas had climbed to \$3.02 per gallon, at which point President Biden signed Executive Order 14030 (86 Fed. Reg. 27967; relating to climate-related financial risk), which directed financial regulators to take actions to discourage financing of United States oil-and-gas production in order to “mitigate climate-related financial risk”;

Whereas, by early September 2021, the average price of gas rose to \$3.17 per gallon after President Biden signed Executive Order 14037 (86 Fed. Reg. 43583; relating to clean cars and trucks), which requires at least 50 percent of new sales of passenger cars and light-duty trucks in the United States to be zero-emission vehicles by 2030;

Whereas, by early January 2022—

(1) the Environmental Protection Agency had proposed a denial of all pending exemptions to small refineries for compliance years 2019 through 2021 and the reversal of the decision to grant exemptions for the 2018 compliance year, meaning that small refineries, which are normally exempt from annual renewable fuel standard (RFS) obligations, will owe 5 years’ worth of RFS compliance costs in a single calendar year;

(2) President Biden signed Executive Order 14057 (86 Fed. Reg. 70935; relating to clean energy industries and jobs), which called for the Federal Government to achieve a carbon-free electricity sector by 2035 and net-zero emissions economy-wide by 2050; and

(3) the average price of gas was \$3.28 per gallon; and

Whereas, 2 days before the Russian Federation invaded Ukraine and nearly a week before President Biden banned oil and energy imports from the Russian Federation, the average price of gas was \$3.61 per gallon: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that President Joseph R. Biden, Jr., has implemented policies impeding domestic energy production and gas prices have steadily increased throughout his presidency.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5001. Ms. CORTEZ MASTO (for Mr. SCHATZ (for himself and Mrs. FISCHER)) proposed an amendment to the bill S. 120, to prevent and respond to the misuse of communications services that facilitates domestic violence and other crimes.

#### TEXT OF AMENDMENTS

**SA 5001.** Ms. CORTEZ MASTO (for Mr. SCHATZ (for himself and Mrs. FISCHER)) proposed an amendment to the bill S. 120, to prevent and respond to the misuse of communications services that facilitates domestic violence and other crimes; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Safe Connections Act of 2022”.

##### SEC. 2. DEFINITIONS.

Except as otherwise provided in this Act, terms used in this Act that are defined in section 345(a) of the Communications Act of 1934, as added by section 4 of this Act, have the meanings given those terms in such section 345(a).

##### SEC. 3. FINDINGS.

Congress finds the following:

(1) Domestic violence, dating violence, stalking, sexual assault, human trafficking, and related crimes are life-threatening issues and have lasting and harmful effects on individuals, families, and entire communities.

(2) Survivors often lack meaningful support and options when establishing independence from an abuser, including barriers such as financial insecurity and limited access to reliable communications tools to maintain essential connections with family, social safety networks, employers, and support services.

(3) Perpetrators of violence and abuse described in paragraph (1) increasingly use technological and communications tools to exercise control over, monitor, and abuse their victims.

(4) Communications law can play a public interest role in the promotion of safety, life, and property with respect to the types of violence and abuse described in paragraph (1). For example, independent access to a wireless phone plan can assist survivors in establishing security and autonomy.

(5) Safeguards within communications services can serve a role in preventing abuse and narrowing the digital divide experienced by survivors of abuse.

##### SEC. 4. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS WITHIN COMMUNICATIONS SERVICES.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

##### “SEC. 345. PROTECTION OF SURVIVORS OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, AND RELATED CRIMES.

“(a) DEFINITIONS.—In this section:

“(1) ABUSER.—The term ‘abuser’ means an individual who has committed or allegedly committed a covered act against—

“(A) an individual who seeks relief under subsection (b); or

“(B) an individual in the care of an individual who seeks relief under subsection (b).

“(2) COVERED ACT.—

“(A) IN GENERAL.—The term ‘covered act’ means conduct that constitutes—

“(i) a crime described in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), including domestic violence, dating violence, sexual assault, stalking, and sex trafficking;

“(ii) an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) (relating to severe forms of trafficking in persons and sex trafficking, respectively); or

“(iii) an act under State law, Tribal law, or the Uniform Code of Military Justice that is

similar to an offense described in clause (i) or (ii).

“(B) CONVICTION NOT REQUIRED.—Nothing in subparagraph (A) shall be construed to require a criminal conviction or any other determination of a court in order for conduct to constitute a covered act.

“(3) COVERED PROVIDER.—The term ‘covered provider’ means a provider of a private mobile service or commercial mobile service, as those terms are defined in section 332(d).

“(4) PRIMARY ACCOUNT HOLDER.—The term ‘primary account holder’ means an individual who is a party to a mobile service contract with a covered provider.

“(5) SHARED MOBILE SERVICE CONTRACT.—The term ‘shared mobile service contract’—

“(A) means a mobile service contract for an account that includes not less than 2 consumers; and

“(B) does not include enterprise services offered by a covered provider.

“(6) SURVIVOR.—The term ‘survivor’ means an individual who is not less than 18 years old and—

“(A) against whom a covered act has been committed or allegedly committed; or

“(B) who cares for another individual against whom a covered act has been committed or allegedly committed (provided that the individual providing care did not commit or allegedly commit the covered act).

“(b) SEPARATION OF LINES FROM SHARED MOBILE SERVICE CONTRACT.—

“(1) IN GENERAL.—Not later than 2 business days after receiving a completed line separation request from a survivor pursuant to subsection (c), a covered provider shall, as applicable, with respect to a shared mobile service contract under which the survivor and the abuser each use a line—

“(A) separate the line of the survivor, and the line of any individual in the care of the survivor, from the shared mobile service contract; or

“(B) separate the line of the abuser from the shared mobile service contract.

“(2) LIMITATIONS ON PENALTIES, FEES, AND OTHER REQUIREMENTS.—Except as provided in paragraphs (5) through (8), a covered provider may not make separation of a line from a shared mobile service contract under paragraph (1) contingent on any requirement other than the requirements under subsection (c), including—

“(A) payment of a fee, penalty, or other charge;

“(B) maintaining contractual or billing responsibility of a separated line with the provider;

“(C) approval of separation by the primary account holder, if the primary account holder is not the survivor;

“(D) a prohibition or limitation, including one described in subparagraph (A), on number portability, provided such portability is technically feasible, or a request to change phone numbers;

“(E) a prohibition or limitation on the separation of lines as a result of arrears accrued by the account;

“(F) an increase in the rate charged for the mobile service plan of the primary account holder with respect to service on any remaining line or lines; or

“(G) any other limitation or requirement not listed under subsection (c).

“(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to require a covered provider to provide a rate plan for the primary account holder that is not otherwise commercially available.

“(4) REMOTE OPTION.—A covered provider shall offer a survivor the ability to submit a line separation request under subsection (c) through secure remote means that are easily navigable, provided that remote options are

commercially available and technically feasible.

“(5) **RESPONSIBILITY FOR TRANSFERRED TELEPHONE NUMBERS.**—Notwithstanding paragraph (2), beginning on the date on which a covered provider transfers billing responsibilities for and rights to a telephone number or numbers to a survivor under paragraph (1)(A) in response to a line separation request submitted by the survivor under subsection (c), unless ordered otherwise by a court, the survivor shall assume financial responsibility, including for monthly service costs, for the transferred telephone number or numbers.

“(6) **RESPONSIBILITY FOR TRANSFERRED TELEPHONE NUMBERS FROM A SURVIVOR’S ACCOUNT.**—Notwithstanding paragraph (2), upon the transfer of a telephone number under paragraph (1)(B) in response to a line separation request submitted by a survivor under subsection (c), the survivor shall have no further financial responsibilities to the transferring covered provider for the services provided by the transferring covered provider for the telephone number or for any mobile device associated with the telephone number.

“(7) **RESPONSIBILITY FOR MOBILE DEVICE.**—Notwithstanding paragraph (2), beginning on the date on which a covered provider transfers billing responsibilities for and rights to a telephone number or numbers to a survivor under paragraph (1)(A) in response to a line separation request submitted by the survivor under subsection (c), unless otherwise ordered by a court, the survivor shall not assume financial responsibility for any mobile device associated with the separated line, unless the survivor purchased the mobile device, or affirmatively elects to maintain possession of the mobile device.

“(8) **NOTICE TO SURVIVOR.**—If a covered provider separates a line from a shared mobile service contract under paragraph (1) and the primary account holder is not the survivor, the covered provider shall notify the survivor of the date on which the covered provider intends to give any formal notice to the primary account holder.

“(c) **LINE SEPARATION REQUEST.**—

“(1) **IN GENERAL.**—A survivor shall submit to the covered provider a line separation request that—

“(A) verifies that an individual who uses a line under the shared mobile service contract has committed or allegedly committed a covered act against the survivor or an individual in the survivor’s care, by providing—

“(i) a copy of a signed affidavit from a licensed medical or mental health care provider, licensed military medical or mental health care provider, licensed social worker, victim services provider, or licensed military victim services provider, or an employee of a court, acting within the scope of that person’s employment; or

“(ii) a copy of a police report, statements provided by police, including military police, to magistrates or judges, charging documents, protective or restraining orders, military protective orders, or any other official record that documents the covered act;

“(B) in the case of relief sought under subsection (b)(1)(A), with respect to—

“(i) a line used by the survivor that the survivor seeks to have separated, states that the survivor is the user of that specific line; and

“(ii) a line used by an individual in the care of the survivor that the survivor seeks to have separated, includes an affidavit setting forth that the individual—

“(I) is in the care of the survivor; and

“(II) is the user of that specific line; and

“(C) requests relief under subparagraph (A) or (B) of subsection (b)(1) and identifies each line that should be separated.

“(2) **COMMUNICATIONS FROM COVERED PROVIDERS.**—

“(A) **IN GENERAL.**—A covered provider shall notify a survivor seeking relief under subsection (b) in clear and accessible language that the covered provider may contact the survivor, or designated representative of the survivor, to confirm the line separation, or if the covered provider is unable to complete the line separation for any reason, pursuant to subparagraphs (B) and (C).

“(B) **REMOTE MEANS.**—A covered provider shall notify a survivor under subparagraph (A) through remote means, provided that remote means are commercially available and technically feasible.

“(C) **ELECTION OF MANNER OF CONTACT.**—When completing a line separation request submitted by a survivor through remote means under paragraph (1), a covered provider shall allow the survivor to elect in the manner in which the covered provider may—

“(i) contact the survivor, or designated representative of the survivor, in response to the request, if necessary; or

“(ii) notify the survivor, or designated representative of the survivor, of the inability of the covered provider to complete the line separation.

“(3) **ENHANCED PROTECTIONS UNDER STATE LAW.**—This subsection shall not affect any law or regulation of a State providing communications protections for survivors (or any similar category of individuals) that has less stringent requirements for providing evidence of a covered act (or any similar category of conduct) than this subsection.

“(d) **CONFIDENTIAL AND SECURE TREATMENT OF PERSONAL INFORMATION.**—

“(1) **IN GENERAL.**—Notwithstanding section 222(c)(2), a covered provider and any officer, director, employee, vendor, or agent thereof shall treat any information submitted by a survivor under subsection (c) as confidential and securely dispose of the information not later than 90 days after receiving the information.

“(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed to prohibit a covered provider from maintaining, for longer than the period specified in that paragraph, a record that verifies that a survivor fulfilled the conditions of a line separation request under subsection (c).

“(e) **AVAILABILITY OF INFORMATION TO CONSUMERS.**—A covered provider shall make information about the options and process described in subsections (b) and (c) readily available to consumers—

“(1) on the website and the mobile application of the provider;

“(2) in physical stores; and

“(3) in other forms of public-facing consumer communication.

“(f) **TECHNICAL INFEASIBILITY.**—

“(1) **IN GENERAL.**—The requirement to effectuate a line separation request pursuant to subsection (b)(1) shall not apply to a covered provider if the covered provider cannot operationally or technically effectuate the request.

“(2) **NOTIFICATION.**—If a covered provider cannot operationally or technically effectuate a line separation request as described in paragraph (1), the covered provider shall—

“(A) notify the survivor who submitted the request of that infeasibility—

“(i) at the time of the request; or

“(ii) in the case of a survivor who has submitted the request using remote means, not later than 2 business days after receiving the request; and

“(B) provide the survivor with information about other alternatives to submitting a line separation request, including starting a new line of service.

“(g) **LIABILITY PROTECTION.**—

“(1) **IN GENERAL.**—A covered provider and any officer, director, employee, vendor, or agent thereof shall not be subject to liability for any claims deriving from an action taken or omission made with respect to compliance with this section and the rules adopted to implement this section.

“(2) **COMMISSION AUTHORITY.**—Nothing in this subsection shall limit the authority of the Commission to enforce this section or any rules or regulations promulgated by the Commission pursuant to this section.”

## SEC. 5. RULEMAKING ON PROTECTIONS FOR SURVIVORS OF DOMESTIC VIOLENCE.

(a) **DEFINITIONS.**—In this section—

(1) the term “Affordable Connectivity Program” means the program established under section 904(b) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), as amended by section 60502 of the Infrastructure Investment and Jobs Act (Public Law 117-58), or any successor program;

(2) the term “appropriate congressional committees” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives;

(3) the term “Commission” means the Federal Communications Commission;

(4) the term “covered hotline” means a hotline related to domestic violence, dating violence, sexual assault, stalking, sex trafficking, severe forms of trafficking in persons, or any other similar act;

(5) the term “designated program” means the program designated by the Commission under subsection (c)(3)(A)(i) to provide emergency communications support to survivors;

(6) the term “Lifeline program” means the program set forth in subpart E of part 54 of title 47, Code of Federal Regulations (or any successor regulation); and

(7) the term “text message” has the meaning given the term in section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)).

(b) **RULEMAKINGS.**—

(1) **LINE SEPARATIONS.**—

(A) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Commission shall adopt rules to implement section 345 of the Communications Act of 1934, as added by section 4 of this Act.

(B) **CONSIDERATIONS.**—In adopting rules under subparagraph (A), the Commission shall consider—

(i) privacy protections;

(ii) account security and fraud detection;

(iii) account billing procedures;

(iv) procedures for notification of survivors about line separation processes;

(v) notice to account holders;

(vi) situations in which a covered provider cannot operationally or technically separate a telephone number or numbers from a shared service plan such that the provider cannot effectuate a line separation request;

(vii) the requirements for remote submission of a line separation request, including how that option facilitates submission of verification information and meets the other requirements of section 345 of the Communications Act of 1934, as added by section 4 of this Act;

(viii) feasibility of remote options for small covered providers;

(ix) implementation timelines, including those for small covered providers;

(x) financial responsibility for transferred telephone numbers;

(xi) whether and how the survivor can affirmatively elect to take financial responsibility for the mobile device associated with the separated line;

(xii) compliance with subpart U of part 64 of title 47, Code of Federal Regulations, or

any successor regulations (relating to customer proprietary network information) or any other legal or law enforcement requirements; and

(xiii) ensuring covered providers have the necessary account information to comply with the rules and with section 345 of the Communications Act of 1934, as added by section 4 of this Act.

(2) EMERGENCY COMMUNICATIONS SUPPORT FOR SURVIVORS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, or as part of a general rulemaking proceeding relating to the Lifeline program or the Affordable Connectivity Program, whichever occurs earlier, the Commission shall adopt rules that—

(i) designate a single program, which shall be either the Lifeline program or the Affordable Connectivity Program, to provide emergency communications support to survivors in accordance with this paragraph; and

(ii) allow a survivor who is suffering from financial hardship and meets the requirements under section 345(c)(1) of the Communications Act of 1934, as added by section 4 of this Act, without regard to whether the survivor meets the otherwise applicable eligibility requirements of the designated program, to—

(I) enroll in the designated program as quickly as is feasible; and

(II) participate in the designated program based on such qualifications for not more than 6 months.

(B) CONSIDERATIONS.—In adopting rules under subparagraph (A), the Commission shall consider—

(i) how survivors who are eligible for relief and elected to separate a line under section 345(c)(1) of the Communications Act of 1934, as added by section 4 of this Act, but whose lines could not be separated due to operational or technical infeasibility, can participate in the designated program; and

(ii) confidentiality in the transfer and retention of any necessary documentation regarding the eligibility of a survivor to enroll in the designated program.

(C) EVALUATION.—Not later than 2 years after completing the rulemaking under subparagraph (A), the Commission shall—

(i) evaluate the effectiveness of the Commission's provision of support to survivors through the designated program;

(ii) assess the detection and elimination of fraud, waste, and abuse with respect to the support described in clause (i); and

(iii) submit to the appropriate congressional committees a report that includes the evaluation and assessment described in clauses (i) and (ii), respectively.

(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the ability of a survivor who meets the requirements under section 345(c)(1) of the Communications Act of 1934, as added by section 4 of this Act, to participate in the designated program indefinitely if the survivor otherwise qualifies for the designated program under the rules of the designated program.

(E) NOTIFICATION.—A provider of wireless communications services that receives a line separation request pursuant to section 345 of the Communications Act of 1934, as added by section 4 of this Act, shall inform the survivor who submitted the request of—

(i) the existence of the designated program;

(ii) who qualifies to participate in the designated program under the rules adopted under subparagraph (A) that are specially applicable to survivors; and

(iii) how to participate in the designated program under the rules described in clause (ii).

(3) HOTLINE CALLS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall commence a rulemaking proceeding to consider whether to, and how the Commission should—

(i) establish, and update on a monthly basis, a central database of covered hotlines to be used by providers of wireless communications services or wireline voice services; and

(ii) require providers of wireless communications services or wireline voice services to omit from consumer-facing logs of calls or text messages any records of calls or text messages to covered hotlines in the central database described in clause (i), while maintaining internal records of those calls and messages.

(B) CONSIDERATIONS.—The rulemaking conducted under subparagraph (A) shall include consideration of—

(i) the ability of law enforcement agencies or survivors to access a log of calls or text messages in a criminal investigation or civil proceeding;

(ii) the ability of providers of wireless communication services or wireline voice services to—

(I) identify logs that are consumer-facing; and

(II) omit certain consumer-facing logs, while maintaining internal records of such calls and text messages; and

(iii) any other factors associated with the implementation of clauses (i) and (ii) to protect survivors of domestic violence, including factors that may impact smaller providers.

(C) NO EFFECT ON LAW ENFORCEMENT.—Nothing in subparagraph (A) shall be construed to—

(i) limit or otherwise affect the ability of a law enforcement agency to access a log of calls or text messages in a criminal investigation; or

(ii) alter or otherwise expand provider requirements under the Communications Assistance for Law Enforcement Act (Public Law 103-414; 108 Stat. 4279) or the amendments made by that Act.

(D) COMPLIANCE.—If the Commission establishes a central database through the rulemaking under subparagraph (A) and a covered provider updates its own databases to match the central database not less frequently than once every 30 days, no cause of action shall lie or be maintained in any court against the covered provider or its officers, employees, or agents for claims deriving from omission from consumer-facing logs of calls or text messages any records of calls or text messages to covered hotlines in the central database.

#### SEC. 6. EFFECTIVE DATE.

The requirements under section 345 of the Communications Act of 1934, as added by section 4 of this Act, shall take effect 60 days after the date on which the Federal Communications Commission adopts the rules implementing that section pursuant to section 5(b)(2) of this Act.

#### SEC. 7. SAVINGS CLAUSE.

Nothing in this Act or the amendments made by this Act shall be construed to abrogate, limit, or otherwise affect the provisions set forth in the Communications Assistance for Law Enforcement Act (Public Law 103-414; 108 Stat. 4279) and the amendments made by that Act, any authority granted to the Commission pursuant to that Act or the amendments made by that Act, or any regulations promulgated by the Commission pursuant to that Act or the amendments made by that Act.

#### AUTHORITY FOR COMMITTEES TO MEET

Ms. CORTEZ-MASTO. Mr. President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 9:30 a.m., to conduct a hearing.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 10:15 a.m., to conduct a hearing.

##### SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, March 17, 2022, at 9:30 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. KAINE. Mr. President, I ask unanimous consent that my legislative fellows Nathan Lee, Laura Mosqueda, Sean Philbin, and Montreal Tennessee be granted floor privileges for the duration of their fellowships in my office.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, MARCH 21, 2022

Ms. CORTEZ-MASTO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, March 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed